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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,845	01/04/2001	Fernando Incertis Carro		2688

7590 10/06/2004
Thomas A. Beck
26 Rockledge Lane
New Milford, CT 06776

EXAMINER

SMITHERS, MATTHEW

ART UNIT PAPER NUMBER

2137

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/754,845

Applicant(s)

CARRO ET AL.

Examiner

Matthew B Smithers

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,7 and 10 is/are rejected.
- 7) ☒ Claim(s) 3-6,8,9 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Objections

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Claims 1-11 were canceled in the preliminary amendment, therefore the newly added claims need to be renumbered from 12-22.

Appropriate correction is required.

Claim 2 is objected to because of the following informalities: The paragraph that begins with "comparing . . . document" may not end in a period. See MPEP 608.01(m) Form of Claims. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 7, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. patent 5,313,564 granted to Kafri et al.

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Regarding claim 1, Kafri meets the claimed limitations as follows:

“A method of marking a text document through the insertion of inter-word blank characters, said method comprising the steps of:

editing the number of said inter-word blank characters of said text document in order to conform to a model to obtain a canonical text document;

retaining, from said canonical text document, to further conform to said model, a subset of positions of said inter-word blank characters, said subset of positions permitting insertion of blank characters;

computing, using said canonical text document and a secret-key as inputs, a unique combination of positions among said subset of positions;

inserting into each position of said unique combination of positions at least one extra blank character thus, obtaining a marked text document.” see Abstract; column 7, lines 11-14; column 7, lines 38-49; column 8, line 49 to column 9, line 20; column 12, lines 20-54 and column 16, line 1 to column 17, line 23. (Kafri teaches an apparatus marking printable text with coded characters using character grids (subset of positions of the coded characters) and a scrambled reference grid (secret key) to create a unique combination of character positions that are subsequently stored in the text document).

Regarding claim 2, Kafri meets the claimed limitations as follows:

“The method according to claim 1 wherein said text document is said marked text document to be authenticated by a recipient sharing said secret-key [130], said method further comprising the step of:

comparing said text document to said marked text document;

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if matching exactly:

accepting said received text document as authentic;

if not rejecting said received text document as fake." see column 2, lines 1-32;
column 3, lines 24-30 and column 21, lines 18-45.

Regarding claim 7, Kafri meets the claimed limitations as follows:

"The method according to claim 1 wherein the step of computing a unique combination of positions further includes the steps of:

calculating a digest uniquely representing said secret-key combined with said canonical text; deriving from said digest a plurality of randomly distributed numbers fitting in said subset of positions." see column 7, lines 11-37; column 12, lines 20-54 and column 16, line 1 to column 17, line 23.

Regarding claim 10, Kafri meets the claimed limitations as follows:

"An authentication system suitable for authenticating a text document, comprising means adapted for carrying out the method defined in Claim 1." see Abstract; column 7, lines 11-14; column 7, lines 38-49; column 8, line 49 to column 9, line 20; column 12, lines 20-54 and column 16, line 1 to column 17, line 23. (Kafri teaches an apparatus marking printable text with coded characters using character grids (subset of positions of the coded characters) and a scrambled reference grid (secret key) to create a unique combination of character positions that are subsequently stored in the text document):

Allowable Subject Matter

Claims 3-6, 8,9 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 3, 4, 5, and 6, the cited prior art fails to specifically teach stripping all inter-word blank characters, in excess of one, off said text document, said text document, and said model further retaining all said positions of said inter-word blank characters in said subset of positions.

With respect to claims 8, 9 and 11, the cited prior art fails to specifically teach the step of calculating a digest by applying a hashing function over said secret-key concatenated with said canonical text thus obtaining a fixed-size keyed digest.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Aoyama (5,590,258) discloses a text generation apparatus.

B. Aucsmith et al (5,991,403) discloses a system for recovering transformations on YUV compressed data.

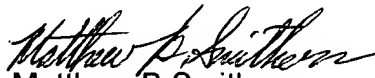
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C. Swanson et al, "Multimedia Data-Embedding and Watermarking Technologies", discloses data-embedding procedures in multimedia signals and the watermarking algorithms used for protection copyrighted data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew B Smithers whose telephone number is (703) 308-9293. The examiner can normally be reached on Monday-Friday (9:00-5:30) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew T Caldwell can be reached on (703) 306-3036. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Matthew B Smithers
Primary Examiner
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